

Dharamvir Vs. State

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Court : Delhi

Decided On : Apr-29-1985

Reported in : 28(1985)DLT254

Judge : J.D. Jain, J.

Acts : [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 313

Appeal No. : Criminal Miscellaneous (Main) Appeal No. 357 of 1985

Appellant : Dharamvir

Respondent : State

Advocate for Pet/Ap. : K.K. Sud,; Rajiv Chauhan and; B.T. Singh, Advs

Judgement :

J.D. Jain, J.

(1) This is an application for transfer of a Session's case now pending in the court of Sh. P S. Sharma to that of Shri K.B. Andley, Additional Sessions Judge, New Delhi. Admittedly, a part of the evidence was originally recorded by Shri J.D. Kapur, the then Additional Sessions Judge, trying this case. Subsequently it was taken over by Shri K.B. Andley. He has examined as many as a dozen of prosecution witnesses which now stand concluded, and the accused has to be examined under section 313 of the Code of Criminal Procedure. Due to transfer of

Shri Andley, the case has been assigned to his successor Shri P.S. Sharma. The submission of the learned counsel for the petitioner is that since Shri Andley has already recorded almost the entire evidence, it would be in the interest of justice that he disposes of this case finally. The request seems to have considerable merit. Accordingly, this application is allowed and this case is transferred from the court of Shri P.S. Sharma to that Shri K.B. Andley, Additional Sessions Judge, New Delhi who shall dispose it of in accordance with law.

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